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ABSTRACT

This paper reviews the effects of affirmative action on administrative policy in higher education. The history of the Federal mandate against ethnic and sex discrimination is traced, and several court cases are reviewed. Examples of discriminatory admission and employment practices in higher education as reflected in pattern, class and individual complaints are presented, and the limits of affirmative action are discussed. Data are cited to demonstrate that although affirmative action has been emphasized in recruitment and hiring, promotion, and salary scales, the actual proportion of minorities and women faculty members is still low. The paper maintains that women and minorities who have assumed academic positions as a result of affirmative action feel compelled to defend their qualifications. In conclusion, it is suggested that affirmative action be viewed as a short term remedy and that equal education and affirmative action be used to build up a future supply of qualified minority and women academics. (Author/JCD)

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THE ORGANIZATION AND ADMINISTRATION OF HIGHER EDUCATION

AFFIRMATIVE ACTION:

A CONCERN IN HIGHER EDUCATION ADMINISTRATION

Submitted by

PHILIP N. HENRY

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INTRODUCTION

In the following pages I shall attempt to present a discussion on affirmative action. Displayed will be the history and development, problems and concerns, and impact of affirmative action as it engages a course to change higher education. Much space will be given to statistical data, as well as studies performed by the Carnegie Council on Policy Studies in Higher Education. There is more of an attempt to present a broad outline of what constitutes affirmative action than there is any tendency to dwell on particulars. Obviously, this is a topic which presents vast complications in modern day society. In no way can the span of information be digested into these brief pages; however, it is hoped that the reader can sharpen his or her focus on the many issues evolving around this ideal.

ABSTRACT

Affirmative Action is reviewed in detail with special emphasis placed on the impact of this mandate on higher education administration. A brief historical overview of the federal government's role in the initiation and carrying out of this executive order is presented with various interpretations by the courts. Finally, the focus is turned to the record compiled by higher education as attempts are made to correct the disproportion of minority faculty. Problems, as well as probable solutions, are discussed. Also, space is given to the present controversy on the applicability of Affirmative Action to higher education with a look at code words such as "quotas" and "preferential treatment" which are associated with the claim "reversed discrimination."

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THE INTENT OF AFFIRMATIVE ACTION POLICY

Historians and social analysts are not sure who first used the expression "affirmative action" to signify a method to achieve equal employment opportunity in America. Generally, the first official utterance is believed to have been by President Lyndon B. Johnson in 1965 when he issued Executive Order Number 11246. Under Section 202 of this document, all government contracting agencies were asked to agree to the following:

> The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin(Code of Federal Regulations, 1964-1965, p.340).

Thus, enters the expression "affirmative action". Though this expression, today, seemingly encompasses the whole thrust of equal opportunity, the actual stage for the promotion of this mandate was not set officially during the Johnson Administration. The first related executive order came about in 1941 after blacks threatened to conduct a march on Washington in protest of discrimination by the Department of Defense and its contractors. In Executive Order 8802, Roosevelt stated:

> All contracting agencies of the Government of the United States shall include in all defense contracts hereafter negotiated by them a provision obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin(Code of Federal Regulations, 1938-1943, p.957).

In 1943, the above order was amended by Executive Order 9346 creating the Committee on Fair Employment Practice. This body was to receive and investigate complaints of discrimination forbidden by the order.

Though it held hearings and promoted the use of black employees, "its lack of statutory authority prevented it from securing compliance with its orders when discriminating employers or unions balked"(Northrup, p.89). The Roosevelt Committee was abruptly ended in 1945 after being denied funds by Congress.

Subsequent committees were formed by Truman and Eisenhower which had limited jurisdiction. Their efforts were concentrated on persuasion and drawing publicity to the problem of discrimination. In 1961 President John F. Kennedy issued Executive Order 10925 establishing the President's Committee on Equal Employment Opportunity, headed by then Vice-President Johnson. This was the first order to spell out sanctions and penalities for noncompliance with corresponding enforcement. The committee could recommend to the Department of Justice that criminal proceedings be brought against contractors rendering false information; further, that existing contracts could be terminated and information regarding minority group distribution of contractors published. In 1965 President Johnson issued Executive Order 11246 which established an Office of Federal Compliance in the Department of Labor. In addition, the order prohibited employment discrimination in contracting agencies or organizations with contracts of over $10,000. Also, institutions receiving $50,000 or more and having 50 or more employees were required to develop written affirmative action plans with numerical goals and timetables. The term contract is interpreted to include grants or other benefits from the federal government. In 1967 Executive Order 1375 amended the previous order to prohibit discrimination based on sex.

Enforcement of this order and the promotion of basic policy decisions

are the duty of the Office of Federal Contracts Compliance of the Department of Labor. This responsibility has been delegated to the Department of Education's(formerly a component of HEW) Office of Civil Rights for enforcement of regulations affecting education agencies and institutions. Contractors covered by the order are required to maintain records to prove compliance with regulations. The Department of Education is authorized to conduct periodic reviews of part or all of an institution's records when no violation has been reported. Pre-award reviews are mandatory before contracts of over $1 million are offered(Programs for Education Equity:Schools and Affirmative Action, pp.4-5).

Under this executive order complaints may be filed by individuals or by groups or organizations on behalf of a class or group of employees (racial or ethnic minorities, or women). When a complaint is filed, an investigation is conducted. If discrimination is found, the government can force compliance by "delaying issuance of new contracts, revoking current contracts, and/or disqualifying the institution from eligibility for future contracts(Ibid., p.5).

Besides the above executive order, there have also been legislative acts passed by the United States Congress in the interest of nondiscrimination. Title VII of the Civil Rights Act of 1964 as amended prohibits discrimination in employment on the basis of race, color, religion, national origin, or sex. Specifically, discrimination is prohibited in: 1) employee hiring or firing, wages and salaries, promotions; 2) union membership, classification, or referrals for employment, or to cause or attempt to cause an employer to discriminate; 3) employment agency discrimination in classifying or referring for employment; and, 4) employer, labor union, or joint labor-management committee training,

retraining, apprenticeship, or employment advertising(Hall, p.16). The Equal Employment Opportunity Commission(EEOC) administers Title VII and is responsible for enforcement. Discrimination complaints are received and investigated by the EEOC and if it finds reasonable cause for the charges, attempts are made at conciliation between the parties. The Equal Employment Act of 1972 gave EEOC power to go directly to court to enforce the law and, also, broadened Title VII to cover state and local governments, educational institutions, and businesses with 15 or more employees. Though Title VII does not explicitly require affirmative action, "when there is a finding of discrimination through compliance investigation or through company self-audit, the Commission is guided by remedies and requirements outlined by the Federal courts"(Affirmative Action and Equal Employment, p.5).

Other federal acts and amendments have been included under the umbrella of affirmative action though the above are the basic operatives of this mandate. The Equal Pay Act of 1963 and Title IX of the Education Amendments of 1972, respectively, prohibits sex discrimination in employee salaries and fringe benefits, and the exclusion on the basis of sex from participation in educational programs or activities receiving federal financial assistance. Discrimination against persons between ages 40 and 65 in the area of employment is prohibited by The Age Discrimination in Employment Act of 1967. Much federal legislation now include provisions for nondiscrimination, and many state and local governments have enacted laws prohibiting employment discrimination.

The ideal embedded in affirmative action would possibly remain dormant without the judicial interpretations of Title VII and related federal laws which have extended the principles and required corrective action from noncompliant employers. The courts have ruled that

employment discrimination , by definition, is class-wide discrimination. Where it is found, action to eliminate it must apply to all members of the "affected class" to which the individual complainant belongs (Bowe V. Colgate Palmolive, 1969). In a later case, the courts ruled "it is the consequences of employment practices, not the intent, which determines whether discrimination requiring remedial action exists" (Grigg V. Duke Power Co., 1971). An employer must be able to prove a compelling "business necessity" if his/her employment practices or policies, however neutral in intent or impartially administered, has a "disparate effect" on members of a protected class(U.S. V. Hayes International Corp, 1972). In determining discrimination, the judiciary has relied heavily on statistics which indicate a highly disproportionate representation of minorities or females in any job classification in relation to their presence in the work force for evidence. Where these statistics exist, it becomes the burden of the employer to prove that they are not due to overt or institutional discrimination(Programs for Educational Equity:Schools and Affirmative Action, p.9). Though use of the relevant labor pool is expected, the employer "is not required to hire unqualified personnel or to impose quota systems to achieve proportional statistical representation. What is required is the demonstration of good faith efforts to ensure true equality of employment opportunity regardless of race, color, national origin, or sex(Ibid.). The U.S. Supreme Court has required "the removal of artificial, arbitrary, and unnecessary barriers to employment"(Griggs V.Duke Power Co.) when such barriers operate to discriminate on the basis of race, sex, age, etc.

Many issues involving affirmative action are presently being litigated in the courts. Summarily, the preceding brief overview is an

indication of the way the aims of equal employment have been interpreted in the past several years.

ADMINISTRATIVE POLICY-PAST RECORD

Higher education, as previously mentioned, falls under the auspices of the Office of Civil Rights in the Department of Education which administers the compliance reviews and applies the rules and regulations to colleges and universities though other agencies may offer the contracts.

Complaints of discrimination in higher education are generally of three kinds:

> A) Pattern Complaints allege that a general pattern of discrimination exists at a college or university.
> B) Class Complaints allege that discrimination prevails against a particular class(or classes) of employees in an institution.
> C) Individual Complaints involving a charge that the complainant has personally been subject to discrimination in employment(it can include a claim of discrimination against members of the complainant's class and, thus, include a class complaint)(Lester, p.4).

All complaints of discrimination in academic employment may be filed with the Office of Civil Rights. However, there is an agreement between EEOC and the Office of Federal Contract Compliance which allows individual complaints to be handled by EEOC.

If there has been any concerted overt discrimination in recent decades within the vestibules of higher education to discourage the employment of females and minorities, recent statistical findings fail to bare out that claim. Nonetheless, statistics do indicate a disproportionate representation of the "protected classes" on various levels in the academic enterprise. So convincing were these statistics that the Congressional House Committee on Education and Labor moved to bring educational institutions under the coverage of Title VII. Before

consummating the 1972 Amendments to Title VII, the following parallel was drawn:

> Discrimination against minorities and women in the field of education is as pervasive as discrimination in any other area of employment. In the field of higher education, the fact that black scholars have been generally relegated to all-black institutions or restricted to lesser academic positions when they have been permitted entry into white institutions is common knowledge. Similarly, in the area of sex discrimination, women have long been invited to participate as students in the academic process, but without the prospect of gaining employment as serious scholars(House Miscellaneous Reports on Public Bills II, Report No. 92-238, p.19).

Additionally, in justifying why higher education should no longer be exempted from the requirement of reporting their activities to EEOC, the Committee said "to permit discrimination here would, more than in any other area, tend to promote misconceptions leading to future patterns of discrimination"(Ibid., p.20). This language and summation was concurred with by the Senate Committee which added:

> As in the other areas of employment, statistics for educational institutions indicate that minorities and women are precluded from the most prestigious and higher-paying positions and are relegated to the more menial and lower-paying jobs(Senate Miscellaneous Reports on Public Bills IV, Report No. 92-415, p.12).

Again, the consequences of these practices, and not necessarily, the intent promulgated congressional action to include education under the provisions of Title VII.

The basis undergirding these grossly disproportionate and, seemingly, embarrassing data has been the cause of much alarm and study. Data published by the National Center for Educational Statistics on women as a percentage of faculty members in four-year colleges and universities by rank in 1974-75 indicated that women were 1) 22% of all ranks; 2) 9.4% of the professor rank; 3) 16.2% of the associate professor

rank; 4) 26.3% of the assistant professor rank; and, 5) 47.6% of instructors and others(Carnegie Council, p.22). Likewise, even with the gains of recent years, relatively small percentages of women are found in universities while the largest proportion is employed at two-year colleges. One study found that women accounted for 28% of the new Ph.D.'s hired by the top 10 universities in 1973 compared with 4.4% in 1967(Cartter and Ruhter, 1975). This has occurred in conjunction with a decline in the hiring of Ph.D.'s by universities. On the other hand, a University of Michigan survey of its 1971 and 1972 graduates with doctorates found that "50% of the men, but only 16% of the women, in the biological and medical sciences were at schools comparable or almost comparable in stature to the University of Michigan"(Carnegie Council, p.23). More striking is the revelation that in 1973 among the Research Universities I, 80% had no women at professorial rank in chemistry(Ibid., p.24) though women had received 9.9% of the Ph.D.'s granted by these departments in 1971-72. In summation the Carnegie Report held that:

> although national statistics indicate that women Ph.D.'s are being hired-primarily at instructor and assistant professor levels- in rising proportions, there continues to be problems in many traditional male fields(Ibid.).

The disproportionate numbers found between men and women in the faculty ranks does not bare out in the lesser ranks of lecturers and nonfaculty academic personnel. In fact, there is almost a reversal. Females "make up a sizable proportion of lecturers, and there have been accusations in many institutions that an important type of discrimination is the tendency to keep women in this nonladder and nontenured status" (Ibid., p.30). A substantial proportion of the nonfaculty researchers and a predominant portion of the librarians are women. Again, when one

views the top academic administrative positions, women have seemingly rare visibility. A survey of doctorate recipients by Centra(1974) indicated that 11% of the men, compared with 5% of the women held administrative positions other than department chairperson.

Richard A. Lester(1974) in a report prepared for the Carnegie Commission on Higher Education has done a commendable job in compiling data which appears to justify at least remotely, if not convincingly, the disproportion of women in faculty positions at universities. According to his study, the undersupply of female faculty is not due to sex discrimination but:

> 1) the consequence of choices made not attributable to the university such as the reluctance to major in engineering, hard sciences, etc.
> 2) the tendency of women to interrupt their studies for marriage, children, and family.
> 3) fewer hours spent on serious research and/or publications which limits productivity.

Lester surmises that past studies and statistics indicate that "the most serious obstacle to female faculty members progressing in their careers is marriage and children"(Antibias Regulation of Universities, 1974). In addition, his figures show that single women closely parallel men in position and salary if other variables remain similar.

It is not Lester's conclusion that discrimination does not occur. Institutions, as well as departments, can discriminate in admissions of graduate and undergraduate students. They can, also, discriminate in the allocation of fellowships or research support and postgraduate training. Nonetheless, talented women are believed to effect their opportunities, moreso, by choices they make and the priority given to career ambitions.

Though women and minorities are mentioned in the same breath

oftentimes, when one speaks of discrimination in higher education because of similar effects, the history and complexity of the problems differ. Minorities have been more sparsely represented on major university faculties than women. In 1972-73, minorities represented about 5% of all faculty members. Blacks were appreciably higher in the "other four-year institution" category because of the historically black institutions. Chinese-Americans and Japanes-Americans are not considered among the disadvantaged minorities, normally, though they tend to be represented in faculty statistics as being a part of this entity. This tendency could color a picture that is, in many instances, misleading. Another misleading inclusion is the noncitizen minority which causes further amplification of faculty statistics. The 5% figure mentioned above is actually 2.9% black, 1.5% Asian, and 2.8% other(noncitizens included).

The present disproportion of minorities(disadvantaged) is merely an echoe of the past system of segregation which still has an impacting residual effect. This aftermath is indicative of the following statistics published by the National Urban League from 1975-76 data:

1) 19% of black students pursuing professional programs were in the historically black colleges.
2) At the doctorate level, more than three times as many degrees were conferred to non-resident aliens (4,068) than to black Americans(1,213).
3) In Alabama, all of the veterinary medicine degrees awarded to blacks in 1975-76 came from Tuskegee Institute.
4)92% of the dentistry and 84% of the medical degrees awarded to blacks in the District of Columbia were conferred by Howard University.
5) North Carolina Central conferred 71% of law degrees awarded to blacks in North Carolina.
6) Meharry Medical College conferred 96% of the dentistry and 92% of the medical degrees conferred to blacks in Tennessee(The State of Black America, 1980, pp.78-79).

Besides the extraneous impact of a bifurcated system, minorities necessarily suffer from an undersupply of Ph.D.'s. After analyzing current data, Lester concluded that black Ph.D.'s, specifically, have been disadvantaged by 1) shortcomings in their educational preparation before entering graduate school and 2) the lack of sufficient opportunity to make important research contributions because such a large proportion of them are in college teaching at historically black schools where the emphasis has not been on research(Antibias Regulation of Universities, p.49). In fact, in 1973 it is estimated that 60% of the doctorates awarded U.S. blacks was in the field of education. Moreover, this reflects the tendency of this group to pursue teaching careers at historically black institutions. Among the doctorates received by Spanish-speaking Americans,a rather large proportion was in humanities during 1973 reflecting a tendency for this group to concentrate on Spanish-language studies.

Thus, the discriminatory impact on minorities, for the most part, is but a rippling effect which is initiated upon graduation from high school. For many, poor preparation in high school eliminates them from choice universities and, consequently, they attend community college or one of the various historically black institutions where the grooming is not for graduate study but to emphasize academic skills missed in secondary school. But even for those who are able to acquire the initial four-year degree, the economic necessities overshadow full-time graduate study for many fortunate enough to meet the tough admissions standards. Blacks more often than other students attend graduate school part-time. As a consequence, in 1969 one study found that the median age of black Ph.D. recipients was 37. The median period

for completing the Ph.D. was 13 years(Antibias Regulation of Universities, p.49). The disproportionate number of black faculty is first due to economic, cultural, and social forces which hamper an ample supply of Ph.D. recipients. Spanish-speaking minorities and Native Americans suffer even more from a crucial undersupply of Ph.D.'s.

After his analysis of data on black Ph.D.'s, Lester concluded that affirmative action could best aid this minority group by exerting strong efforts to 1) encourage able black students to enter on an academic career; 2) assist them in getting excellent professional training in graduate school and completing their Ph.D. requirements; and, 3) help them get started on programs of research soon after obtaining their Ph.D. degrees. The present author would add as a prelude to the above suggestions that affirmative action encourage financial assistance, and admissions standards which will consider the various negative forces impinging on all minority applicants including Spanish-speaking and Native American.

THE CONTROVERSY OVER AFFIRMATIVE ACTION

Since the implementation of the executive orders and various legislative enactments calling for affirmative action, a controversy has been resounding across the country with much of the debate taking place in higher education. Even with the interpretations offered by the judiciary, a battle is waged by foes who do not question the ideals but, moreso, the mechanism used by the federal government to attain the ends of equal employment opportunity. Many educators dare the government invade the sanctity of academe with accusations of discrimination and, further, impose requirements on their hiring process. The

call against "quotas," "goals," and "preferential treatment" has reached a head in what is now termed "reverse discrimination."

There are varying interpretations of the terms making up reverse discrimination. Inherently, the official interpretation should transcend from the judiciary and federal agencies saddled with the duty of administering guidelines and forging compliance. Obviously, these terms have dominated the debate over affirmative action policies. In response to the confusing, the U.S. Commission on Civil Rights wrote:

> The discrimination that exists within an organization forms the basis for the affirmative measures that are chosen-whether characterized as "goals," "quotas," or other types of "preferential treatment." The problem-remedy approach stresses the nature and extent of discrimination and what measures will work best to eliminate such discrimination, not what word to use to describe those measures(Affirmative Action in the 1980's, p.37)

Therefore, in an affirmative action plan the method which will offer the most effective remedy should be chosen. Among techniques recommended are: extensive recruitment of minorities and women; revising selection procedures so as not to exclude "protected classes;" assigning a "plus" over and above other factors to qualified minorities and women; and, specifying that among qualified applicants a certain ratio or percentage of minorities and women to white males will be selected. Goals are benchmarks used by the employer to ascertain the success of the techniques and overall program. Quotas and preferential treatment are pluses given to qualified women or minority applicants or employees to enhance their presence in areas where they are grossly disproportionate.

Much criticism has been hurled at the federal government by academicians for including education within the guidelines of affirmative

action. The most convincing argument reasons that higher education more than other areas must attempt to comply with an undersupply of women and minorities. The competition for qualified members of these groups has created a pointless game of musical chairs, according to critics, which lures individuals from one place to another without increasing the supply. Along these same lines, it is believed that this competition has, also, fostered an attraction for unqualified personnel which can devalue established patterns of merit and competency. In reacting to this contention the Commission on Civil Rights stated, "firing whites or men to hire minorities or women, and choosing unqualified people simply to increase participation by minorities and women, are universally condemned practices"(Affirmative Action in the 1980's p.37).

The next strong contention holds that quotas and preferential treatment discriminate against white males. The argument reasons that discrimination against one group is just as horrible as discrimination against another. In NAACP V. Allen, the Court of Appeals for the Fifth Circuit reasoned that "quota relief promptly operates to change the outward and visible signs of yesterday's racial distinctions and thus, to provide an impetus to the process of dismantling the barriers, psychological and otherwise, erected by past practices." Proponents of affirmative action argue that preferences are a way of life in this society citing preferential treatment given to veterans in the federal and state job market, routine slots reserved for offspring of alumni and regional applicants in college admissions, and the numerous laws giving preference to Native Americans. Nonetheless, it has never been denied that some white males won't be penalized under these programs.

What is aimed for is a program which will dismantle discrimination causing the least amount of damage to white males who have operated in a preferential status until recently. Overall, the intent of equal employment opportunity is to bring about an environment which would need nor warrant preferential treatment.

There are, however, many alleged incidents of abuse. Some are, no doubt, contrived by unrelenting employers to make affirmatve action a failure. White male applicants are told that they stand little chance of being hired because the institution is mandated to hire a minority or woman, or that they were not hired for a similar reason. Too, many unqualified persons are put into positions where they are destined to fail. Much of this adverse publicity feeds the arguments of critics.

The present writer feels that much of the criticism has merit; however, proponents use it in a destructive rather than constructive frame. Criticism can be healthy if its purpose is to strengthen the existing mechanisms and overcome the barriers of discrimination.

EFFECTS OF AFFIRMATIVE ACTION ON COLLEGE AND UNIVERSITY ADMINISTRATION

Nearly all institutions are affected in one way or another by the federal government's promotion of affirmative action. As discussed earlier, all institutions contracting with the federal government and receiving $50,000 or more must comply with Revised Order No.4. It is believed that some 900 institutions are subject to these requirements. At the same time, all institutions employing 15 or more people must comply with Title VII which is regulated by the Equal Employment Opportunity Commission. Consequently, it is expected that the administrations in most institutions began to devise some type of affirmative action

plan in the late 1960's. It would be erroneous to assume that some institutions were not sensitive to employment discrimination long before the mandate by the federal government and, as a consequence, had devised internal means to insure fair employment. Nevertheless, the Carnegie Commission credits the Women's Equity Action League(WEAL) with triggering much of the concern for equal employment opportunity in higher education(p.97). Until the filing of an "industry-wide" complaint of sex discrimination in 1970, the executive order was largely unnoticed in the academic community. This action was followed by more than 500 class-action complaints filed by WEAL. Until this point, only minor adjustments had been made by institutions in response to the influx of minority students who demanded representative minority faculty members.

Previous to the enactment of affirmative action, academic institutions generally used what is considered the "old-boy network" in filling vacant positions. Openings were seldom advertised and institutions pursued candidates from distinguished universities or departments. Search procedures were conducted on a confidential basis with persons of interest being invited to apply. Though friendship played some part in this system, the prestige of a candidate's department was extremely important. The search was usually initiated by a departmental committee which also screened the applicants and selected the top candidate. The recommendation was then forwarded to the dean and finally to the president for approval. Similarly, for promotion from assistant professor to full professor, a person's name was recommended by the department along with letters of evaluation from distinguished scholars in the discipline. An appointment to a tenured position required approval

of the president and, sometimes, the board of trustees.

The salary structure of most public institutions is similar to that of the civil service. There is an upward progression through various steps and ranks. On the other hand, private universities and colleges are less likely to have formal salary structures. In both types of institutions, much flexibility is allowed in salary to ward off competition for select personnel.

The affirmative action mandate has focused intensely on administrative policy relating to the recruitment and hiring process, promotion procedures, and salary rate. The chief campus officer is the person responsible for the institution's compliance with nondiscriminatory policy. In fact, the Carnegie Commission views affirmative action as an institutional responsibility:

> All relevant officials, from the board of trustees on down to department chairmen, and heads of other campus units, should be fully involved in an effort that is genuinely designed to accomplish nondiscrimination and affirmative action, and is not simply designed to comply routinely with federal requirements or to respond politically to campus pressure groups(Making Affirmative Action Work in Higher Education, p.69).

Institutional determination emanates from the president's office and it is recommended that the affirmative action officer be someone who reports directly to the chief officer. Generally, this person is responsible for overall development, implementation and monitoring of all programs relating to equal opportunity and affirmative action. Most institutions have special committees which play an active role in the following: 1) review of affirmative action plans; 2) review of progress in achieving affirmative action goals; 3) review of departmental recruitment, selection, and promotion procedures; and, 4) sometimes serving as an appeal body in grievance cases.

The visible impact of affirmative action on higher education administration has been tremendous. However, there is no way of knowing just how effectively it operates beneath the surface. A 1975 survey conducted by the Carnegie Commission of 131 institutions indicated that all of respondent universities and comprehensive universities and colleges had devised an affirmative action plan which had either been approved by the chief campus officer or was in preparation. About 75% of the liberal arts respondents had gotten their plans approved by the president or had them in preparation. Among the two-year college respondents, all had plans or were developing them, but only half had been approved by the president. Of all respondents who had submitted their plans to the Office of Civil Rights, only 16% had been approved(Ibid., pp.62-66).

While structurally the impact has been overwhelming, the hiring of minorities and women has been a somewhat slower process. In fact, the thrust to get more of the protected classes into higher education is coming at a time when the outlook for hiring is dim. Too, there has remained an undersupply of Ph.D.'s for these groups in the labor pool. In 1975 women constituted 16% to 17% of Ph.D. holders while minorities maintained 4% to 5%. Even so, women went from 22.3% in 1972-73 to 24.1% in 1974-75 of the labor force in higher education. The greatest jump was at the assistant professor rank which went from 23.8% to 27.1%(Carnegie Council, p.21). Declining enrollments are expected in the 1980's which will offset this driving momentum.

Overall, higher education administration has responded positively to the mandate for affirmative action. Though it is recognized as an "evil" in some circles, it has proven to be a necessary one. The outlay in time, money and energy required to preserve justice is

bothersome but it should, in the long run, usher in a new wave of administrators bent on maintaining equal employment out of conscience.

CONCLUSION

Initially, I had planned to write a paper that was strictly unbiased and one that presented the views on affirmative action with equal vigor from all sides. This has not been the case. Throughout the thesis, I have felt compelled to argue, more or less, for the ideals expressed in this mandate because it is apparent to me that it is a most healthy platform for America. Change is a strange phenomenon, and whenever it occurs there is generally both elation on one end and pain on the other. Like a pendulum, it swings back and forth. Society is so structured that we seem destined to always have the "haves" and "havenots." Striking a balance between these contingents is a task which continues to frustrate humankind. Affirmative action is but one mechanism in a string of attempts to order this balance.

That the federal government has to pass laws mandating affirmative action is demeaning in a democratic society. That these laws have to be applied to higher education is further embarrassing. But since a policy of nondiscrimination in employment has to be pursued, what better place to pursue it than in higher education? From the reasoning of critics, I get the impression that they want higher education excluded because of high standards of merit which precedes selection to a position. Obviously, if standards had been based on merit free of sexism and racism, the present problem would be nonexistent. There is a specter of reasoning characterized by Darwin's "survival of the fittest" superior-inferior theory undercurrent in this argument. There is no better place to attack this affront to justice. Even the women and minorities who have assumed academic positions feel constantly on the defensive in an effort to prove that they are not of inferior brand.

Affirmative action has limits. It can open the door but it can not overhaul the entire system.

Affirmative action has given a facelift to higher education administration. There is much lip service paid to this ideal, as well as positive output geared to make it operative. Nonetheless, one wonders if this is but a reaction to governmental pressure or, if there is really something authentic happening on the inside. Once external pressure has subsided, and it will, the real impact and permanent effect can be gauged. The intent of government is to, eventually, have each institution police itself in regards to this mandate. Many institutions complain bitterly about the additional staff, man-hours, storage, etc. necessary to carry out an affirmative action plan. Nevertheless, it is pleasing to see on job advertisements and applications, at least, an outward concern for equal opportunity. Too, applicants and employees have someone to whom they can express discrimination complaints if they choose to. Yet, I am left with the impression that affirmative action is not now an integral part of higher education administration. It appears to be, more or less, an appendage off to the side which many feel is an unwarranted and unnecessary mechanism used to distort traditional patterns. It is my hope that it will remain an appendage that can one day be broken off because it will serve no useful purpose.

The most important function to be performed by affirmative action officers and committees today is the encouragement of bright female and minority students to continue their education in graduate school. They should involve themselves in the whole "grooming" process as earlier outlined by Lester.

There are serious problems in dialogue between higher education and the federal government. This is evident in the Carnegie survey by the small number(16%) of submitted plans approved by the Office of Civil Rights. Frankly, higher education is embarrassed by the forced spoon feeding techniques of government. And why not? These are supposedly honorable men(mostly) at the apex of learning. They dare not admit, at least publicly, feelings of sexism or racism. It bothers me that higher education trained these very bureaucrats who are putting on the pressure; therefore, I fail to believe that this is a meddlesome meandering course engaged in by blind bureaucrats. They must know something. On the other hand, the carrot and stick approach of government has tarnished honorable institutions with long histories of nondiscrimination. Precisely, there is no way to separate the flowers from the weeds and a blanket policy must apply to all.

This is a period of transition for higher education administration. The 1980's will bring in a much higher percentage of minority and women students. Role models will be important. Universities are in a peculiar situation. They have the unique ability to train and manufacture the quantity and quality of products which will be their custodians in the future. If they do not rise to the occasion, these very problems will resurface for later generations.

Finally, affirmative action should remain a short-term priority, if at all possible. It should not be allowed to develop into a permanent "welfare system" which begets dependents. Women and minorities have the innate ability to compete successfully without the added "pluses." Above all, this should be stressed and encouraged.

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